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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/017,633 | 12/07/2001 | Yasufumi Yahiro | 200380-9011 | 6427 |

7590 12/11/2003

MICHAEL BEST & FRIEDRICH LLC
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EXAMINER

VU, HIEN D

| | |
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| ART UNIT | PAPER NUMBER |
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2833

DATE MAILED: 12/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,633

Applicant(s)

YAHIRO ET AL.

Examiner

Hien D. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) 11 and 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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1. Claims 1-9 and 13-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following are examples of terms or features which are still confusing and unclear: Claim 1, line 7, the recitation "a first portion on top of the elastic member" is confused and unclear as to how the first portion could be on top of the elastic member; lines 8-9, the feature "when being pushed ... the first direction" is confusing since it is unclear what direction is referred as "the first direction"; line 11, the recitation "a second portion on top thereof" is confused and unclear as to how the second portion could be on top of the elastic supported; lines 12-13, the features "the second portion being ... the first direction" are not understood; lines 14-15, the feature "when being pushed ... the first direction" is unclear how the second elastic reaction force could be in the first direction; the last two line; it is unclear what the features "parts" of the plate object are referred to. Claim 3, line 4, it is unclear what "the fourth direction" is referred to.

Claims 13-14 appears having similar rejections as the rejection of claim 1 above.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1-9 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peltier et al in view of Howell et al.

Insofar as the claims can be understood due to the indefiniteness above, Peltier and Howell are applied as follows” Peltier, Figs. 1-3 show a connector for accommodating therein an edge portion of a plate object 106, comprising: a metal housing 102 having a first and second a second plane 124 opposite to each other defined a space therebetween, an elastic member 126 connected to the first plane and having a first portion thereof, an elastic supporter 126 connected to the second plane and having a second portion thereof, a film contact 104 comprising an insulator film and electrical contacts corresponding to the terminals of the object plate, the insulator film having first and second surfaces and the electrical contacts being formed on the first face of the insulator film and the second face being fixed on the first and second portions. Peltier does not show the first and second portions can be arranged in the housing so that the object plate when being inserted can be in a third direction oblique to the first and second directions and the object plate can tilted to be substantially parallel with the first and second planes, and holding means for holding the plate object. Howell et al, Figs. 2-3 show a connector having first and second portions 24 of contacts 22 being arranged in a housing 12 so that a plate object 4 when being inserted can be in a third direction oblique to first and second directions of the contacts, and holding means (24, 32) for holding the plate object. It would have been obvious to one with skill in the art to modify the connector of Peltier by forming the first and second portions of the elastic member and the elastic supporter to be arranged in a manner so that the plate object when being

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inserted can be in a third direction oblique to the first and second directions and the plate can be tilted to a substantially parallel with the first and second planes and providing holding means on the connector for holding the plate object, as taught by Howell, in order to achieve the desired connection in oblique direction of the plate object and to secure the plate object to the connector housing.

As to claims 2-5, 7-9, the recited features have been described above.

As to claim 6, Howell, Figs. 1-2 show two arms 30 with two latch portions 32 for holding the plate object 4.

4. Applicant's arguments with respect to claims 1-9 and 13-14 are have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Perry is cited for disclosure of a flexible circuit connector.

7. Any inquiry concerning this communication should be directed to Hien Vu at telephone number (703) 308-2009.

Vu/ek

11/21/03

A handwritten signature in black ink, appearing to read "Hien Vu", is located in the lower right quadrant of the page.